

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION

JAMES WINDING #K8115

PLAINTIFF

VS.

CIVIL ACTION NO. 3:13CV101TSL-JMR

KEVIN COLBERT, ET AL.

DEFENDANTS

ORDER

This cause is before the court on the report and recommendation of Magistrate Judge John M. Roper entered on November 19, 2013, recommending that the various defendants' motions to dismiss be granted and that plaintiff's many motions be denied. On November 25, 2013, pursuant to the mailbox rule, plaintiff filed a "motion to respond"¹ whereby he appears to lodge a brief, unmeritorious substantive objection to report and recommendation. Having reviewed the report and recommendation, the court concludes that the report and recommendation is well reasoned and should be adopted as the court's own opinion.

Based on the foregoing, it is ordered that the report and recommendation of United States Magistrate John M. Roper entered on November 19, 2103, be, and the same is hereby, adopted as the opinion of this court. Accordingly, it is further ordered that the motions to dismiss filed by the State Defendants, Adams

¹ The Clerk of the Court docketed plaintiff's motion as a motion for an extension of time. To the extent that by the filing, plaintiff sought an extension of time, the motion is denied as it fails to present any basis for an extension.

County, Mississippi, Adams County Jail, Kevin Colbert, the Natchez Police Department and Pamela Ferrington are granted. It is further ordered that plaintiff's motions for an order to show cause, to extend time to reply to Adams County's motion to dismiss, to issue federal habeas corpus, for summary judgment, to continue, for injunctive relief, to strike and to amend are denied. Finally, it is ordered that any remaining claims against any remaining defendants are dismissed on the basis of res judicata as set forth in the court's opinion.²

A separate judgment shall be entered in accordance with Rule 58 of the Federal Rules of Civil Procedure.

SO ORDERED this the 19th day of December, 2013.

/s/Tom S. Lee
UNITED STATES DISTRICT JUDGE

² The court notes that it does not appear that Winding has achieved service of process upon either the United States Department of Justice or defendant Craig Godbold. These defendants are subject to dismissal under Rule 4(m) of the Federal Rules of Civil Procedure.